



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: November 24, 2020

Time: 6:30 PM

Location: Pursuant To Governor Baker's Emergency Order Modifying The State's Open Meeting Law Issued March 12, 2020, Meetings Will Be Held Using Remote Participation As Follows: Members Of The Public May Not Participate In-Person And May View The Meeting Via LTC.ORG (On-Line; Live Streaming Or Local Cable Channel 99) And Zoom.

1. ROLL CALL

Roll Call showed 9 present (Remote – C. Conway, C. Nuon, C. Samaras)

M. Leahy presiding.

C. Samaras requested moment of silence in darkened chamber for Maribeth O'Neil. C. Conway commented on the life of Ms. O'Neil.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation.

In City Council, **Motion** "To accept and place on file" by C. Conway, seconded by C. Mercier. So voted.

3. CITY CLERK

3.1. Minutes Of City Council Regular Meeting November 10th, For Acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Elliott. So voted.

4. UNFINISHED BUSINESS

4.1. Order-Abandon Portion Of Warren St And Portion Hurd St.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted.

5. UTILITY PUBLIC HEARING

5.1. National Grid - Request Installation Of 60 Feet Of 2 Inch Gas Main To Service 39 Campbell Drive.



In City Council, Given 2nd Reading. Hearing held. Diana Cuddy (National Grid) spoke in favor. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Rourke, seconded by C. Mercier. So voted.

5.2. National Grid - Request Installation Of 50 Feet Of 2 Inch Gas Main To Service 106 Gilmore Street.

In City Council, Given 2nd Reading. Hearing held. Diana Cuddy (National Grid) spoke in favor. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Chau, seconded by C. Drinkwater. So voted.

5.3. National Grid - Request Installation Of Underground Electric Conduit On Appleton Street For Service At 193 Appleton Street.

In City Council, Given 2nd Reading. Hearing held. David Boucher (National Grid) in favor. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Drinkwater, seconded by C. Mercier. So voted.

6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Conway, seconded by C. Chau. So voted. **Motion** by C. Elliott, seconded by C. Chau to suspend rules to discuss recent fire in the City. So voted. Manager Donoghue commented on recent fire on Market Street that took a tenant's life. C. Mercier commented on the fire and noted that there was some discussion regarding one of the engines not being in service which may have delayed some response time. Manager Donoghue commented on budget and introduced Fire Chief Charron. C. Rourke commented on shut down and noted the need for full coverage during pandemic as many more people are at home. Manager Donoghue noted the need and the search to expand coverage in the City. C. Elliott noted that Cares Act funding would be available for these situations. Chief Charron outlined the incident and commented on the actions of the firefighters. C. Drinkwater noted the report and the need for added revenues through federal funding and local budgeting. C. Chau noted the support of the LFD and importance of public safety and stated that any budget shortfalls must be covered. Chief Charron commented on search for alternative funding through federal grants and covid monies. C. Nuon extended condolences to deceased family and that assistance should be given to those affected by the fire. C. Conway recognized the new Chief and reiterated the need for increased funding for public safety. C. Samaras noted the difficult times during pandemic and commented on the need to support residents and firefighters as well after such incidents. C. Rourke noted the heroic efforts of the LFD that night. M. Leahy lauded the work of the LFD.



A) Motion Response - Diversity and Inclusion Measures For High School Project –

C. Drinkwater commented on the goals set and noted that there must be effort to meet those goals and to go beyond them. C. Drinkwater noted the importance of apprentice programs and that they are very diverse and that contractors should be pushed to use them.

B) Motion Response - Housing Stability Notification – C. Drinkwater outlined his motion he filed because the moratorium on evictions was going to lapse which would cause housing issues for many and noted that there is effort on the State level to assist with this potential problems. **Motion** by C. Drinkwater, seconded by C. Nuon to refer matter to Housing SC. So voted. C. Nuon noted the challenges with many residents concerning eviction procedures and it warrants further discussion in the subcommittee. C. Chau noted the importance of the issue and that residents should be notified of any resources to assist them. Manager Donoghue noted there are resources for tenants and landlords at the Housing Court and that the City can share those resources with residents. C. Rourke commented on the eviction procedure and notices about resources which are available through the Court. C. Samaras noted landlords suffer financial loss during this period and that there should be ongoing dialogue to assist all parties in the process. C. Drinkwater noted evictions are still low but they will increase in time and preparations are important. Manager Donoghue noted continued updates on reports.

C) Motion Response - Hurd Street Courthouse – C. Mercier noted it was a lengthy response which was negative and that she was disappointed that the State took such a lackluster attitude. Manager Donoghue noted the State's response and informed body that there were still discussions for other localities and how to staff them. M. Leahy noted continued efforts to move from cannot too can do.

D) Motion Response - Andover Street Speed Limit Signs – C. Chau noted Andover Street has posed a continuous problem with part of the issue being it is a State road under City jurisdiction. Diane Tradd (DPD) noted that any study could raise possibility of raising speed limit not lowering it and that they should explore additional resources from MassDOT. C. Conway noted his surprise that speed could be increased by anyone in that area. Ms. Tradd commented on MassDOT policies. C. Conway noted to explore different approaches to achieve success. C. Elliott requested information on hiring Traffic Engineer. Manager Donoghue noted that it had to go to bid again as first response was not sufficient. C. Samaras noted speed and the improper use of the passing lane are issues on Andover Street.

E) Motion Response - Olive Street Truck Traffic – M. Leahy requested if information has been updated on GPS systems regarding commercial use of the street. Ms. Tradd note signage was present. Manager Donoghue noted the need to increase enforcement.

F) Motion Response - Boylston and Laurel – M. Leahy commented on the new design and the need to continue to monitor the area.



G) Motion Response - Stop the Spread Testing – C. Nuon noted the need to have a free test site in the City. Manager Donoghue commented on efforts to obtain free site in City and they have partnered with Trinity Ambulance to do that as the State campaign is ending. Manager Donoghue noted that new clinic would probably be starting next week at Cawley Stadium and it will only be for Lowell residents. Manager Donoghue noted State is working on new program that would probably be regional. C. Chau questioned if locations could be mobile so that all residents can take advantage of it. C. Rourke questioned free testing for schools and noted that Lowell did not join that program and questioned reason behind the decision. Manager Donoghue noted surprise at the School's decision and commented that program may still be available and further noted that it would be a useful tool. C. Rourke noted that schools should be involved and requested Mayor bring it before the committee. C. Conway commented on the need for a free test site.

H) Motion Response - Historical Walking Trail – C. Conway noted the report and commented on progress and implementation of the program.

6.2. Informational Reports

I) Informational - 9-11 Monument Update – Registered speaker, William Desrosiers, addressed the body. Manager Donoghue commented on the committee and the efforts to place the monument and noted upcoming dedication ceremony.

7. VOTES FROM THE CITY MANAGER

7.1. Vote - MRF Vote FY2021.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on December 8, 2020 at 7PM by C. Rourke, seconded by C. Mercier. So voted.

7.2. Vote - Establish Equity And Inclusion Stabilization Fund.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted. **Motion** by C. Samaras, seconded by C. Elliott to refer matter to Finance SC. So voted.

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance - Extend Outdoor Seating.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on December 8, 2020 at 7PM by C. Rourke, seconded by C. Nuon. So voted.

9. REPORTS (SUB/COMMITTEE, IF ANY)

In City Council, none.



10. PETITIONS

10.1. Claim - (1) Property Damage.

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Elliott, seconded by C. Drinkwater. So voted.

10.2. National Grid - Request Installation Of 24 Feet Of Electric Conduit At 179 Bridge Street For Service To Riverwalk Phase II.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on December 8, 2020 at 7PM by C. Chau, seconded by C. Nuon. So voted.

10.3. New Cingular Wireless (D/B/A AT&T) - Request Installation Of Wireless Small Cell Facility At 6 Industrial Avenue.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on December 8, 2020 at 7PM by C. Rourke, seconded by C. Mercier. So voted.

10.4. New Cingular Wireless (D/B/A AT&T) - Request Installation Of Wireless Small Cell Facility At 282 Appleton Street.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on December 8, 2020 at 7PM by C. Drinkwater, seconded by C. Samaras. So voted.

11. CITY COUNCIL - MOTIONS

11.1. C. Mercier - Req. City Mgr. Have Proper Department Place On The List For Cement Replacement, The Sidewalk In Front Of The Transfiguration Church On Father John Sarantos Way.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier noted the need for repair.

11.2. C. Rourke - Req. City Mgr. Provide Total Number Of Lowell Students Being Tutored In Lowell School Buildings By Outside Agencies.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Rourke requested breakdown of policies and procedures for remote learning sites.

11.3. C. Rourke - Req. City Mgr. Provide A Report From All Outside Agencies That Tutor Lowell Public School Students In Lowell School Buildings Regarding How They Follow DESE And Local Board Of Health Guidelines For In School Learning.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Rourke requested the review of the procedures by those agencies in order to identify why the City cannot do the same.



11.4. C. Elliott - Req. City Council Discuss Process Of Changing System Of Electing Mayor To Allow Voters To Decide Rather Than City Councilors.

In City Council, seconded by C. Mercier, adopted and referred to City Manager/Law Department by Roll Call vote 9 yeas. So voted. C. Elliott commented on prior discussions and the need to speak with plaintiffs in the litigation if needed and that now is the time to move forward on this issue either by Home Rule Petition or amending the Consent Decree. C. Mercier noted that people must be involved in the vote. C. Rourke noted that there are options available to move ahead. C. Nuon noted that a subcommittee may need to be involved. C. Chau noted that all councilors should be able to vie for the spot. C. Drinkwater noted it should be a public choice from a selection of all councilors. C. Samaras noted the Consent Decree and plaintiff approval. **Motion** by C. Elliott, seconded by C. Mercier to have Law Department provide various options regarding selection of Mayor which include the ability for all councilors to vie for the position and refer matter to Election Laws/Redistricting SC. Adopted per Roll Call vote, 9 yeas. So voted. C. Elliott noted the gathering of information then discussion would be best path to take. Manager Donoghue noted to produce report then refer. C. Rourke noted important to get information before subcommittee. C. Conway questioned plaintiffs' involvement with selection of the Mayor. City Solicitor O'Connor noted discussions during negotiations and plaintiffs were part of those discussions. C. Nuon noted plaintiffs' involvement with the process. C. Mercier noted that plaintiffs should be agreeable to voters selecting the Mayor.

11.5. C. Elliott - Req. City Mgr. And Homeless Coordinator Address Large And Growing Homeless Camp Off Middlesex Street.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Elliott noted the issue is pressing and must be put under control as the camps continue to grow. C. Mercier noted the efforts of the CO-OP Team and the Middlesex Sheriff's Department regarding issue. C. Elliott noted that the use of vacant buildings must be explored. Manager Donoghue commented on potential sites and process to staff them if needed.

11.6. C. Samaras - Req. City Council Conduct Their Meetings In December 2020 Only By Way Of ZOOM Because Of The Spike In Covid Cases.

In City Council, seconded by C. Drinkwater, defeated by Roll Call vote 4 yeas, 5 nays (C. Chau, C. Elliott, M. Leahy, C. Mercier, C. Rourke). So voted. C. Samaras noted the current Health Department report and recommendation and that the body should set a safety example until end of year. C. Mercier noted the ability for Councilors to participate remotely and that City Hall employees are showing up for work in person and that the Councilors are City Hall employees. C. Drinkwater noted that prior practice indicates that it can be done efficiently and that precautions are needed during this time. C. Elliott noted no increase risks and that this is a job like all the other jobs in which employees show up in person. C. Elliott questioned if City Hall will remain open. Manager Donoghue noted that at this point it is open but it is a fluid situation. C. Nuon commented on the Health Department directive noting they have the expert knowledge.



C. Chau noted that based on current information meetings should continue as they have been. Manager Donoghue noted stats are climbing and communities are limiting access. C. Chau needs meetings to provide information and that schedule provides flexibility. C. Conway noted the information from the Health Department commenting on increase in numbers and use of resources and further added that the use of ZOOM is safe and smart.

11.7. C. Chau - Req. City Mgr. Investigate Upgrading School Street In The Area Between Liberty And Shaw Streets In Order To Slow Traffic.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. Registered speaker, Brenda Torres, addressed the body. C. Chau noted area was small and some traffic measures must be taken to provide enhanced safety. C. Mercier noted traffic calming measures in different areas of the City.

12. ANNOUNCEMENTS

In City Council, **Motion** by C. Elliott, seconded by C. Rourke to discuss overlay account balances. So voted. C. Elliott was provided status of the account.

C. Rourke noted upcoming informational meeting by MassDOT regarding Rourke Bridge. M. Leahy commented on upcoming blood drive and the lighting of City Hall.

13. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Rourke, seconded by C. Elliott. So voted.

Meeting adjourned at 9:40 PM.

Michael Q. Geary, City Clerk